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03
04 UNITED STATES DISTRICT COURT
05 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

06 UNITED STATES OF AMERICA,) CASE NO. CR06-370-RSL
07)
Plaintiff,)
08)
v.) SUMMARY REPORT OF U.S.
09) MAGISTRATE JUDGE AS TO
JAMES CHRISTOPHER AYERS,) ALLEGED VIOLATIONS
10) OF SUPERVISED RELEASE
Defendant.)
_____)

11
12 An initial hearing on supervised release revocation in this case was scheduled before me
13 on May 3, 2007. The United States was represented by AUSA Karyn S. Johnson and the
14 defendant by Nancy Tenney. The proceedings were digitally recorded.

15 Defendant had been sentenced on or about March 17, 2006 by the Honorable Robert S.
16 Lasnik on a charge of Tampering with Consumer Products, and sentenced to 12 months plus one
17 day custody, 3 years supervised release.

18 The conditions of supervised release included the standard conditions plus the requirements
19 that defendant abstain from alcohol, participate in a drug dependency program with testing, submit
20 to search, provide access to financial information, not obtain new credit without approval,
21 participate in mental health treatment, and disclose all assets and liabilities to the probation officer.
22 (Dkt.35.)

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01 In an application dated April 6, 2007 (Dkt. 36), U.S. Probation Officer Angela M.
02 McGlynn alleged the following violations of the conditions of supervised release:

03 1. Failing to report for urinalysis testing on February 28, March 6, and March 28,
04 2007, in violation of the special condition requiring the defendant to submit to urinalysis testing.

05 2. Using methamphetamine on or before March 30, 2006, in violation of standard
06 condition no. 7.

07 3. Failing to participate in mental health counseling as directed, in violation of the
08 special condition requiring the defendant to participate in mental health treatment as directed.

09 Defendant was advised in full as to those charges and as to his constitutional rights.

10 Defendant admitted the alleged violations and waived any evidentiary hearing as to
11 whether they occurred. (Dkt. 38).

12 I therefore recommend the Court find defendant violated his supervised release as alleged,
13 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
14 set before Judge Lasnik.

15 Pending a final determination by the Court, defendant has been released on the conditions
16 of supervision.

17 DATED this 3rd day of May, 2007.

18 

19 Mary Alice Theiler
20 United States Magistrate Judge

21 cc: District Judge: Honorable Robert S. Lasnik
AUSA: Karyn S. Johnson
22 Defendant's attorney: Nancy Tenney
Probation officer: Angela M. McGlynn

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